

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR SPECIAL COUNCIL MEETING
OF

MONDAY, JUNE 22, 1987

AT 7:00 P.M. IN GOLDEN HALL

COMMUNITY CONCOURSE, 202 C STREET

NOTICE OF SPECIAL MEETING OF THE CITY COUNCIL

To Council Members Wolfsheimer, Cleator, McColl, Jones, Struiksma, Gotch, McCarty, and Ballesteros, members of the City Council of the City of San Diego, California:

A SPECIAL MEETING of the City Council is hereby called to be held in Golden Hall, Convention and Performing Arts Center, 202 C St., San Diego, California, at the hour of 7:00 p.m. on Monday, June 22, 1987.

Said meeting has been called for consideration of the following issues:

- Introduction of an Interim Development Control Ordinance to deal with: (1) Growth limitations City-wide as well as in specific community plan areas; (2) Limitations on the issuance of building permits and development approvals; and (3) Development fees and the establishment of adequate public facility thresholds for capital facilities in planned and planned urbanizing areas
- Introduction and adoption of a City-wide Emergency Ordinance restricting the issuance of building permits on a City-wide basis.

These items were continued by the City Council from the meeting of May 19, 1987.

This notice supersedes the previous notice dated May 20, 1987.

MAUREEN O'CONNOR, MAYOR Dated: June 12, 1987

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor O'Connor at 7:17 p.m. The meeting was recessed by Mayor O'Connor at 9:56 p.m. The meeting was reconvened by Mayor O'Connor at 10:06 p.m. The meeting was recessed by Mayor O'Connor at 12:11 a.m. Tuesday, June 23, 1987. The meeting was reconvened by Mayor O'Connor at 12:24 a.m. Mayor O'Connor adjourned the meeting at 2:32 a.m.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Cleator-present
- (3) Council Member McColl-present
- (4) Council Member Jones-present
- (5) Council Member Struiksma-present

- (6) Council Member Gotch-present
- (7) Council Member McCarty-present
- (8) Council Member Ballesteros-present
- Clerk-Abdelnour (eb)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Cleator-present
- (3) Council Member McColl-present
- (4) Council Member Jones-present
- (5) Council Member Struikma-present
- (6) Council Member Gotch-present
- (7) Council Member McCarty-present
- (8) Council Member Ballesteros-present

ITEM-601:

(Continued from the meeting of May 19, 1987, Item 330

19870622

Subitems B and C, at Council Member McCarty's request, for a hearing by the Planning Commission and the Citizens Advisory Committee of the Growth Management Task Force prior to 6/22/87.)

Three actions relative to the Interim Development Control Ordinance:

Subitem-A: (O-87-204 Rev. 1) FILED

19870622

Introduction and adoption of an Emergency Ordinance regulating for an Interim period development in the Urbanized, Planned Urbanizing and Future Urbanizing Areas of the City, as defined in the Progress Guide and General Plan (adopted on February 26, 1979), in order to allow the City sufficient time to complete an update to the Progress Guide and General Plan and to study and recommend appropriate zoning and other plan implementation policies and regulations without the pressure caused by ongoing development and growth at rates exceeding regional forecasts and the phased

buildout of Community Plans and beyond the City's public facility and service capacities; providing the establishment of affected areas; providing the duration of interim regulations; providing the scope of the interim regulations; providing a procedure for development approval during the interim period; providing for the effect of this Ordinance on existing City regulations and Ordinances; providing for severability; and providing an effective date.

Subitem-B: (O-87-252) INTRODUCED AS AMENDED, TO BE
ADOPTED JULY 21, 1987

Introduction of an Ordinance regulating for an interim period development in the Urbanized, Planned Urbanizing and Future Urbanizing Areas of the City, as defined in the Progress Guide and General Plan (adopted on February 26, 1979), in order to allow the City sufficient time to complete an update to the Progress Guide and General Plan and to study and recommend appropriate zoning and other plan implementation policies and regulations without the pressure caused by ongoing development and growth at rates exceeding regional forecasts and the phased buildout of Community Plans and beyond the City's public facility and service capacities; providing the establishment of affected areas; providing the duration of interim regulations; providing the scope of the interim regulations; providing a procedure for development approval during the interim period; providing for the effect of this Ordinance on existing City regulations and Ordinances; providing for severability; and providing an effective date.

Subitem-C: (O-87-) FILED

Introduction and adoption of a City-wide Emergency Ordinance restricting the issuance of building permits on a City-wide basis.

NOTE: Hearing open. Testimony taken on 5/19/87. Districts 4 and 8 not present.

ADDITIONAL BUSINESS:

Subitem-A: (R-88-166) ADOPTED AS RESOLUTION R-268663
19870622

Approving the recommendations set out below and contained in City Manager's Report, issued June 20, 1987 and filed in the office of the City Clerk as City Manager Report No. 87-314,

be and the same are hereby approved: 1. Establish development limitations by community related to completion of required infrastructure improvements. 2. Expedite public facilities projects in the various communities where growth-related facility problems have been identified. 3. Modify community plans to include phasing plans tying development to the installation of public facilities. 4. Direct the City Manager and Planning Department to prepare and bring to City Council an urbanized community impact fee system to augment City capital funds for parks, libraries, fire stations and street improvements. Further, that the City Manager will return to the City Council within thirty days with proposals to implement the above-stated recommendations found in the City Manager's Report No. 87-314 and implementation of the IDO including guidelines for its administration, community allocations and exemptions, and a manner in which to insure an equitable distribution of units among and between developers, that the City Manager prepare quarterly socio-economic reports concerning the effects of the IDO and effects upon any proposed revision to the long-term general plan.

Subitem-B: (R-88-165) ADOPTED AS RESOLUTION R-269115

Declaring Council's intention to charge an impact fee of \$2,400.00 per residential unit on commercial, industrial and residential development in the urbanized areas.

Subitem-C: (R-88-164) ADOPTED AS RESOLUTION R-269116

Approving in concept, a Resource Protection Overlay Zone, as proposed by Councilmember Mike Gotch in a memorandum dated June 19, 1987, and discussed at the City Council hearing of June 22, 1987, further, that the City Manager report back to the City Council within thirty days following a workshop and public hearings on the creation of a Resource Protection Overlay Zone.

FILE LOCATION:

Subitem-A MEET,

Subitem-B --,

Subitem-C

MEET, and Additional Business MEET

COUNCIL ACTION: (Tape location: A010-J410.)

Hearing began 7:20 p.m.

Testimony in favor by Linda Martin, Kathy Giles, David Kreitzer, Linda Michael, Kathleen Zaworski-Burke, Jay Wharton, Verna Quinn, Bob Glaser, Tom Mullaney, Clifton Blevins, Reverend Clyde Gaines, Carlos Castanada, Vykki Gray, Cris Waller, David Swarens, Joshua Van Wolfolk, Monty Griffin, Rich Juarez, Beth Brust, Maurice Belduc, Keith Behner, Fred Macmanus, Mina Perez, William Ballinger, Jose Ramirez, Elberta Flemming, Terry Thielen, Jane Fyer, Joni Halpern, Dwight Worden, Jim McDaffer, Steven Frates, Clayton Morehead, Guy Russo, Gerald Tracy, Leo Wilson, Lynn Benn, Peggy Whitehead, Charles Dietz, DeDe McClure, Carole Landsman, Geoffry Smith, Emily Durbin, Anna Majors, Maria Peterson, Rosalie Salinas, Callie Mack, Barbara Fisher, Jan Whitacre, Minday Scareno, Judy Elliot, Bob Hartman, Hal Becker, Jim Lobue, Sergio Damasceno, Anrea Skorepa, Vincent Ruggiero, and Susan Davis.

Hearing recessed 9:56 p.m.

Hearing resumed 10:06 p.m.

Testimony in opposition by Lee Grissom, Mr. Schmidt, Robert Adelizzi, Art Luchon, Robert Shack, Mike Reynolds, Richard Peyser, Mr. Nelson, Sanford Goodkin, Keith Johnson, Wesley Stark, Marshall Ward, Ian Gill, Lance Burrows, Caryl Iseman, Paul Bishop, Don Kidd, Jack Guttman, John Leppert, Barry Nusbaum, Pat Kunselman, Jenny Tchang, Paul Peterson, Sherm Harmer, Bill Miller, Gary London, Fred Schnaubelt, Richard Alexander, Don Toll, Don Haas, John Martes, William Henning, Rebecca Michael, Roy Mofett, David Mulliken, Stephen Quinn, Skip Harry, Doug Allred, Mark Krasner, Matt Peterson, Tim Graves, Bruce Henderson, Ronald Custance, Terry McKee, Susan Carter, Michael Hands, Stephen Toohill, Larry Sillman, Jim Dawe, Randy Williams, Eva Marinkovic, Lisa Bishop, Paul Peterson, Howard Katkov, Bill Scott, and an unidentified woman.

Hearing recessed 12:11 a.m.

Hearing resumed 12:24 a.m.

Testimony in opposition by Arnold Schmidt.

The hearing was closed.

Hearing halted 2:32 a.m.

Motion by McCarty to approve the Manager's recommendations and direct the City Manager to prepare a socioeconomic analysis on the impacts of an interim development ordinance and report back in 90 days. Second by Struiksmas. No vote.

Motion by Ballesteros to ensure an equitable distribution of units among developers and to establish a task force to study water acquisition, conservation, reclamation and storage and

report back to Council in 6 months. No second.

Motion by Gotch to amend the motion on the floor to approve the interim development ordinance as amended with an 8,000 unit annual cap and to report back on July 21, 1987, on implementation guidelines on community by community allocations and on exemptions, and to conceptually approve the resource protection amendments and refer them to the Planning Department for a report back and a recommendation in 30 days. Second by Wolfsheimer. Council Members McCarty and Struiksma accepted the amendment as part of the motion on the floor.

Motion by Jones to amend the motion on the floor to exempt low income housing except in impacted areas and the Southeast Economic Development Corporation Survey Area, and to request the socioeconomic analysis be reported quarterly. The amendment was accepted by McCarty.

Motion by Gotch to amend the motion on the floor to include in the motion to exempt Tierrasanta, the SEDC Sphere Boundary Otay Mesa, the Centre City and the Mid-City and trolley transportation corridors from the 8,000 unit cap. The amendment was accepted by McCarty.

Motion by McColl to amend the motion on the floor to add direction to staff to bring a recommendation to Council on July 21, 1987, on a program of fees related to development impacts. The amendment was accepted by McCarty.

Motion by Struiksma to amend the motion on the floor to add that the dispensing of any subsequent building permits under a form of an IDO will be done by a committee consisting of the Planning Director, the City Manager, and the City Attorney or their designee, and to approve the collection of deposits of fees in the amount of \$2400 in the urbanized areas of the City of San Diego for residential, commercial and industrial properties effective on this date. The amendment was accepted by McCarty for the motion and to be debated.

Council Member McCarty summarized the motion as follows and the vote was taken:

MOTION BY McCARTY TO 1) APPROVE THE MANAGER'S RECOMMENDATIONS
IN

CMR 87-314: ESTABLISH DEVELOPMENT LIMITATIONS BY COMMUNITY RELATED TO COMPLETION OF REQUIRED INFRASTRUCTURE IMPROVEMENTS, EXPEDITE PUBLIC FACILITIES PROJECTS IN THE VARIOUS COMMUNITIES WHERE GROWTH-RELATED FACILITY PROBLEMS HAVE BEEN IDENTIFIED, MODIFY COMMUNITY PLANS TO INCLUDE PHASING PLANS TYING DEVELOPMENT TO THE INSTALLATION OF PUBLIC FACILITIES, DIRECT THE CITY MANAGER AND PLANNING DEPARTMENT TO PREPARE AND BRING TO COUNCIL AN URBANIZED COMMUNITY IMPACT FEE SYSTEM TO AUGMENT

CITY

CAPITAL FUNDS FOR PARKS, LIBRARIES, FIRE STATIONS AND STREET IMPROVEMENTS. 2. DIRECT THE CITY MANAGER TO PREPARE A QUARTERLY SOCIOECONOMIC REPORT ON THE EFFECTS OF ANY INTERIM ORDINANCE AND THE EFFECT OF ANY PROPOSED LONG-TERM GENERAL PLAN REVISION. 3. INTRODUCE THE PROPOSED IDO ORDINANCE (SUBITEM-B) AS AMENDED WITH AN ANNUAL 8,000 UNIT CAP WITH EXEMPTIONS FOR TIERRASANTA, OTAY-MESA, ALL TROLLEY CORRIDORS, CENTRE CITY, MID-CITY TRANSPORTATION CORRIDORS, SOUTHEAST SAN DIEGO DEVELOPMENT CORPORATION'S SURVEY AREA. 4. SET THE SECOND READING OF THE PROPOSED ORDINANCE FOR 30 DAYS (JULY 21, 1987). 5. DIRECT THE CITY MANAGER TO REPORT BACK IN 30 DAYS WITH PROPOSALS THAT WOULD IMPLEMENT THE MANAGER'S RECOMMENDATIONS IN CMR 87-314, DETAILS FOR THE IMPLEMENTATION OF THE PROPOSED IDO ORDINANCE, INCLUDING GUIDELINES FOR ADMINISTRATION, COMMUNITY ALLOCATIONS, AND EXEMPTIONS, AND THE EQUITABLE DISTRIBUTION OF UNITS AMONG DEVELOPERS. 6. APPROVE IN CONCEPT THE PROPOSAL OF COUNCIL MEMBER GOTCH FOR THE ENVIRONMENTALLY SENSITIVE LANDS AND DIRECT THE CITY MANAGER TO REPORT BACK IN 30 DAYS AFTER PLANNING COMMISSION WORKSHOP AND PUBLIC HEARINGS. 7. EXEMPT LOW-INCOME HOUSING, INCLUDING SENIOR HOUSING, FROM THE IDO IN NON-IMPACTED AREAS ONLY. 8. THE IDO ADMINISTRATOR WILL CONSIST OF A COMMITTEE COMPOSED OF THE PLANNING DIRECTOR, THE CITY ATTORNEY, AND THE CITY MANAGER OR THEIR DESIGNATED REPRESENTATIVES. 9. EFFECTIVE THIS DATE, APPROVE IMPACT FEES OF \$2,400 ON COMMERCIAL, INDUSTRIAL, AND RESIDENTIAL DEVELOPMENT IN THE URBANIZED AREAS. 10. THE ORDINANCE TO BE IN EFFECT FOR 18 MONTHS WITH NO EXTENSIONS. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Cleator-nay, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ADJOURNMENT:

The meeting was adjourned by Mayor O'Connor at 2:32 a.m., June 23, 1987.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: J410.